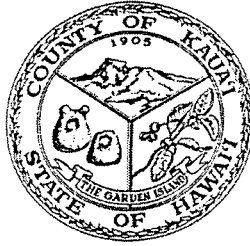


**COUNTY COUNCIL**

Jay Furfaro, Chair  
Mason K. Chock, Sr., Vice Chair  
Tim Bynum  
Gary L. Hooser  
Ross Kagawa  
Mel Rapozo  
JoAnn A. Yukimura



**OFFICE OF THE COUNTY CLERK**

Ricky Watanabe, County Clerk  
Jade K. Fountain-Tanigawa, Deputy County Clerk

Telephone (808) 241-4188  
Fax (808) 241-6349  
Email cokcouncil@kauai.gov

**Council Services Division**  
4396 Rice Street, Suite 209  
Līhu'e, Kaua'i, Hawai'i 96766

**MEMORANDUM**

January 30, 2014

TO: Bernard P. Carvalho, Jr., Mayor

FROM: Jay Furfaro, Council Chair

RE: **JANUARY 29, 2014 COUNCIL MEETING RECAP**

This is to inform you of the action taken by the Council at its January 29, 2014 Council Meeting:

**CONSENT CALENDAR:**

C 2014-24 Communication (12/31/2013) from the County Engineer, transmitting for Council consideration, a Resolution Establishing No Parking At Any Time Along A Portion Of Kōloa Road, Kōloa District, County Of Kaua'i. ***(Received for the Record.)***

C 2014-25 Communication (01/06/2014) from the Chief of Police, transmitting for Council consideration, proposed amendments to Ordinance No. B-2013-753, as amended, relating to the Fiscal Year 2013-2014 Operating Budget, by Revising the Amounts Estimated in the General Fund. ***(Police Department Workers Compensation Medical – \$110,000) (Received for the Record.)***

C 2014-26 Communication (01/21/2014) from Council Chair Furfaro, providing written disclosure of a possible conflict of interest, relating to Ernesto G. Pasion vs. County of Kaua'i, et al., Civil No. 13-1-0340 (Fifth Circuit Court), as he is named in his individual capacity. ***(Received for the Record.)***

**COMMUNICATIONS:**

C 2014-14 Communication (12/06/2013) from the Civil Defense Manager, requesting Council approval to receive and expend grant funds in the amount of \$475,000 from the United States Department of Homeland Security via the State of Hawai'i, Department of Defense, for the Fiscal Year 2013 State Homeland Security Grant Program for the following:

- 1) Continue to enhance the capability of State and local units of government to prevent, deter, respond to, and recover from threats and incidents of terrorism involving the use of chemical, biological, radiological, nuclear and explosive weapons, and cyber attacks, in addition to day-to-day all-hazards scenarios;
- 2) Continue to provide support to Citizen Corps Councils with planning, outreach, and management of Citizen Corps programs and activities, such as Community Emergency Response Teams and Neighborhood Watch.

***(Approved.)***

C 2014-27 Communication (11/22/2013) from Council Chair Furfaro, requesting the presence of the Director of Parks and Recreation and the County Engineer, to provide the Council with an update on the Administration's progress and current plans as it relates to the restoration of the former Hanalei Courthouse Facility. This briefing should include, but not be limited to, the following:

- The plan/design/construction of sidewalks;
- Whether all plans and designs were presented to and accepted by the community;
- The requirement for floodwalls, including an assessment of potential impacts such as water run-off; and
- A report on the outcome of the planned community meeting to discuss restoration and use of the Hanalei Courthouse Facility.

***(Received for the Record.)***

C 2014-28 Communication (01/03/2014) from Council Chair Furfaro, requesting the presence of the County Engineer, to provide the Council with an update on the status of safety improvements for Lae Road and Wawae Road in Kalāheo (Project No. W12058), in the Fiscal Year 2013-2014 Capital Improvement Projects (CIP) Budget; and the Administration's efforts to address safety concerns relating to drainage and runoff on Wawae Road in Kalāheo and the need for a guardrail across the property located at 2963 Wawae Road, Kalāheo.  
***(Received for the Record.)***

C 2014-29 Communication (01/06/2014) from the Acting Director of Personnel Services, transmitting for Council information, the October-December 2013 Department of Personnel Services Quarterly Report, pursuant to Section 19 of the Fiscal Year 2013-2014 Operating Budget, Ordinance No. B-2013-753, which includes new hires, transfers, reallocations, promotions, and vacancies for the second quarter. ***(Received for the Record.)***

C 2014-30 Communication (01/06/2014) from the Director of Finance, transmitting for Council information, the Second Quarter Statement of Equipment Purchases for Fiscal Year 2013-2014, pursuant to Section 17 of Ordinance No. B-2013-753, the Operating Budget of the County of Kaua'i for Fiscal Year 2013-2014. ***(Received for the Record.)***

C 2014-31 Communication (01/08/2014) from Jennifer S. Winn, Deputy County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims against the County of Kaua'i from October 1, 2013 through December 31, 2013. ***(Received for the Record.)***

C 2014-32 Communication (01/08/2014) from the Salary Commission, transmitting for Council information, the Salary Commission's Resolution No. 2013-2, Relating to the Salaries of Certain Officers and Employees of the County of Kaua'i. *(Received for the Record.)*

C 2014-33 Communication (01/08/2014) from the Director of Parks and Recreation, requesting Council approval to accept a monetary donation in the amount of \$1,500 from the M.A. Rikard Charitable Trust for youth programs at the Kalāheo Neighborhood Center/Gymnasium. *(Approved with thank-you letter to follow.)*

C 2014-34 Communication (01/09/2014) from the Fire Chief, requesting Council approval to reallocate funds from Account No. 001-1102-566.89-06 (Fire Department, Fire Operations – Public Safety) for the purchase of swiftwater rescue safety gear and equipment in the amount of \$15,000. *(Approved.)*

C 2014-35 Communication (01/16/2014) from the County Attorney, requesting authorization to expend funds up to \$8,000 to retain Special Counsel to represent Henry Barriga in Lynell Tokuda, et al. vs. Chris Calio, et al., Civil No. 13-00202 DKW-BMK (U.S. District Court), and related matters. *(Deferred.)*

C 2014-36 Communication (01/16/2014) from the County Attorney, requesting authorization to expend funds up to \$8,000 to retain Special Counsel to represent Sherwin Perez in Lynell Tokuda, et al. vs. Chris Calio, et al., Civil No. 13-00202 DKW-BMK (U.S. District Court), and related matters. *(Deferred.)*

CLAIMS:

C 2014-37 Communication (12/26/2013) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Alamo Rental Damage Recovery Unit, for damages to their vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

C 2014-38 Communication (01/06/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Amy Bonvillain, for damages to her vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

COMMITTEE REPORTS: **APPROVED.**

RESOLUTION:

Resolution No. 2014-01 – RESOLUTION ESTABLISHING NO PARKING AT ANY TIME ALONG PORTION OF KŌLOA ROAD, KŌLOA DISTRICT, COUNTY OF KAUA'I *(Deferred.)*

BILL FOR FIRST READING:

Proposed Draft Bill (No. 2529) – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Police Department Workers Compensation Medical – \$110,000)* ***(Approved on 1<sup>st</sup> reading, Public Hearing scheduled for 02/26/2014, and referred to the Finance & Economic Development (Tourism / Visitor Industry / Small Business Development / Sports & Recreation Development / Other Economic Development Areas) Committee.)***

BILLS FOR SECOND READING:

Bill No. 2513, Draft 1 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-753, AS AMENDED, RELATING TO THE OPERATING BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE GENERAL FUND *(Office of Economic Development, Executive/Consultant Services (Joint Fact Finding Group (JFFG) Scope-of-Work Environmental Public Health Impact Study (EPHIS)) - \$100,000)* ***(Approved.)***

Bill No. 2514 – A BILL FOR AN ORDINANCE AMENDING SECTION 5-2.3, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE COUNTY MOTOR VEHICLE WEIGHT TAX ***(Council Absence, Tie Vote; Pursuant to Council Rule No. 5(e), item shall be made the Special Order of the Day at the February 12, 2014 Council Meeting.)***

Bill No. 2515, Draft 1 – A BILL FOR AN ORDINANCE AMENDING SECTION 21-9.2 OF THE KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO INTEGRATED SOLID WASTE MANAGEMENT ***(Council Absence, Tie Vote; Pursuant to Council Rule No. 5(e), item shall be made the Special Order of the Day at the February 12, 2014 Council Meeting.)***

Bill No. 2517 – A BILL FOR AN ORDINANCE TO ESTABLISH A NEW ARTICLE UNDER CHAPTER 22, KAUAI COUNTY CODE 1987, AS AMENDED, ENTITLED CAT LICENSING PROGRAM ***(Approved.)***

Bill No. 2518 – A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. B-2013-754, AS AMENDED, RELATING TO THE CAPITAL BUDGET OF THE COUNTY OF KAUAI, STATE OF HAWAII, FOR THE FISCAL YEAR JULY 1, 2013 THROUGH JUNE 30, 2014, BY REVISING THE AMOUNTS ESTIMATED IN THE SPECIAL TRUST FUND FOR PARKS & PLAYGROUNDS *(Black Pot Park Expansion - \$94,427)* ***(Approved.)***

Bill No. 2519 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNIT 11 BETWEEN JULY 1, 2011 AND JUNE 30, 2017 ***(Approved.)***

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)  
KCT CCs (*Via E-mail*)  
Council Services Staff (*Via E-mail*)